

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST No. M 07-1827 SI
LITIGATION MDL No. 1827

This Order Relates To:

*Best Buy Co., Inc. v. AU Optronics Corp.,
et al.,*
Case No. 10-CV-4572 SI

*Best Buy Co., Inc. v. Toshiba Corp., et
al.,*
Case No. 12-CV-4114 SI

SPECIAL VERDICT

We the jury unanimously find as follows on the questions submitted to us:

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2

3 **Question 1:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
4 instructions given to you, that Toshiba knowingly participated in a conspiracy to fix, raise, maintain or
5 stabilize the prices of TFT-LCD panels?

6

7

Yes _____

No _____

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11 **Question 2:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
12 instructions given to you, that HannStar knowingly participated in a conspiracy to fix, raise, maintain
13 or stabilize the prices of TFT-LCD panels?

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Yes _____

No _____

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19 If your answer to either Question 1 or 2 is "Yes," please answer the next question. If your answers to
both Questions 1 and 2 are "No," please go to the end of the verdict form, and sign and date it where
indicated.

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1 **Question 3:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
2 instructions given to you, that the conspiracy involved TFT-LCD panels and/or finished products (e.g.,
3 notebook computers, computer monitors, televisions, camcorders, cell phones and digital cameras
4 containing TFT-LCD panels) imported into the United States?

5
6
7 Yes

No

8 If your answer to this question is “Yes,” please answer the next question. If your answer to this question
9 is “No,” please go to Question 5.

10 **Question 4:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
11 instructions given to you, that the conspiracy involving these imported TFT-LCD panels and/or finished
12 products produced substantial intended effects in the United States?

13
14 Yes

No

15 Please answer the next question.

17 **Question 5:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
18 instructions given to you, that the conspiracy involved conduct which had a direct, substantial and
19 reasonably foreseeable effect on trade or commerce in the United States?

21 Yes

No

22 If your answer to either Question 4 or Question 5 is “Yes,” please answer the next question. If your
23 answers to both Question 4 and Question 5 are “No,” please go to the end of the verdict form, and sign
and date it where indicated.

1 **Question 6:** Do you find, based on the preponderance of the evidence and in accordance with the
2 Court's instructions, that Best Buy discovered the conspiracy to fix the prices of TFT-LCD panels prior
3 to September 15, 2005?

4

5 Yes _____ No _____

6

If yes, in what month and year did Best Buy discover the conspiracy?

7

8 Month _____ Year _____

9

10 If your answer to Question 6 is "No," please answer the next question. If your answer to Question 6 is
11 "Yes," please go to Question 8.

12

13 **Question 7:** Do you find, based on the preponderance of the evidence and in accordance with the
14 Court's instructions, that Best Buy discovered the conspiracy to fix the prices of TFT-LCD panels prior
15 to February 5, 2006?

16

17 Yes _____ No _____

18

If yes, in what month and year did Best Buy discover the conspiracy?

19

20 Month _____ Year _____

21

22

23 **Question 8:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
24 instructions given to you, that it was injured as a result of the conspiracy in which one or both of the
25 defendants knowingly participated?

26

27 Yes _____ No _____

28

If your answer to this question "Yes," please answer the next question. If your answer to this question
is "No," please go to the end of the verdict form, and sign and date it where indicated.

1

2 **Question 9:** For Best Buy's direct purchases only, what is the amount of damages Best Buy proved, by
3 a preponderance of the evidence and in accordance with the Court's instructions, that it suffered as a
4 result of the conspiracy?

5

6 \$ _____
(Please fill in a dollar amount total)

7

8 **Question 10:** For Best Buy's indirect purchases only, what is the amount of damages Best Buy proved,
9 by a preponderance of the evidence and in accordance with the Court's instructions, that it suffered as
10 a result of the conspiracy?

11

12 \$ _____
(Please fill in a dollar amount total)

13

14 Date: _____

15

16 FOREPERSON _____

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